

### Subpart P—Reconsideration of Proceedings

#### § 502.261 Petitions for reconsideration and stay.

(a) Within thirty (30) days after issuance of a final decision or order by the Commission, any party may file a petition for reconsideration. Such petition shall be limited to 25 pages in length and shall be served in conformity with the requirements of subpart H of this part. A petition will be subject to summary rejection unless it:

(1) Specifies that there has been a change in material fact or in applicable law, which change has occurred after issuance of the decision or order;

(2) Identifies a substantive error in material fact contained in the decision or order; or

(3) Addresses a finding, conclusion or other matter upon which the party has not previously had the opportunity to comment or which was not addressed in the briefs or arguments of any party. Petitions which merely elaborate upon or repeat arguments made prior to the decision or order will not be received. A petition shall be verified if verification of the original pleading is required and shall not operate as a stay of any rule or order of the Commission.

(b) A petition for stay of a Commission order which directs the discontinuance of statutory violations will not be received.

(c) The provisions of this section are not applicable to decisions issued pursuant to subpart S of this part. [Rule 261.]

[49 FR 44369, Nov. 6, 1984, as amended at 58 FR 27211, May 7, 1993]

#### § 502.262 Reply to petition for reconsideration or stay.

Any party may file a reply in opposition to a petition for reconsideration or stay within fifteen (15) days after the date of service of the petition in accordance with § 502.74. The reply shall be limited to 25 pages in length and shall be served in conformity with subpart H of this part. [Rule 262.]

[58 FR 27211, May 7, 1993]

### Subpart Q—Schedules and Forms

#### § 502.271 Schedule of information for presentation in regulatory cases.

The following approved forms and illustrative wording for use in Commission proceedings appear in this part as follows:

(a) *Notice of appearance*. Exhibit No. 1 to Subpart B (following § 502.32).

(b) [Reserved]

(c) *Complaint*. Exhibit No. 1 to Subpart E (following § 502.75).

(d) *Verification*. See complaint form in Exhibit No. 1 to Subpart E (following § 502.75).

(e) *Answer to complaint*. Exhibit No. 2 to Subpart E (following § 502.75).

(f) *Petition for leave to intervene*. Exhibit No. 3 to Subpart E (following § 502.75).

(g) *Special docket application*. Exhibit No. 1 to Subpart F (following § 502.95).

(h) *Certificate of service*. § 502.117 (Subpart H). See also § 502.320 for small claims.

(i) *Reparation statement*. Where the Commission finds reparation is due but that the amount cannot be ascertained: Exhibit No. 1 to Subpart O (following § 502.253).

(j) *Small claim form for informal adjudication*. Exhibit No. 1 to Subpart S (following § 502.305).

(k) *Respondent's consent form for informal adjudication*. Exhibit No. 2 to Subpart S (following § 502.305). [Rule 271.]

[49 FR 44369, Nov. 6, 1984, as amended at 61 FR 66617, Dec. 18, 1996]

### Subpart R—Nonadjudicatory Investigations

#### § 502.281 Investigational policy.

The Commission has extensive regulatory duties under the various acts it is charged with administering. The conduct of investigations is essential to the proper exercise of the Commission's regulatory duties. It is the purpose of this subpart to establish procedures for the conduct of such investigations which will insure protection of the public interest in the proper and effective administration of the law. The Commission encourages voluntary cooperation in its investigations where such can be effected without delay or